ABSTRACT

Higher Education – Collection of excess fee by KBN College, Vijayawada – Levy of penalty Rs.10,000/- Orders – Issued.

HIGHER EDUCATION [CE] DEPARTMENT

G.O.RT.No. 209 **Dated: 14-09-2016**

Read the following :

1. From M/s.KBN College, Vijayawada Appeal, dt.30-10-2012,
2. From the Commissioner of Collegiate Education Lr.No.1218/Admn.VI-1/2011, dt.21.11.2014,
3. Govt.Memo.No.14926/CE.A2/2012-5, dt.15.6.2015,
4. From the High Court, orders in WP No.33207/2015, dt.8.10.2015.
5. From the Secretary&Correspondent, letter, dt.08-03-2016,
6. From the Registrar, Institute of Lokayukta Lr.Dis.No.512/2009/B1/ Lok/123/2016, dt.5.2.2016.

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O R D E R :

Whereas Sri K. Srinivasa Rao filed a complaint before the Hon'ble Lokayukta alleging that Management of KBN College, Vijayawada collected huge amounts from the students though availing government aid. The Commissioner of Collegiate Education, Andhra Pradesh, Hyderabad in her Procgs.No. No.1218/Admn.VI-1/2011, dt.25-09-2012, directed the Management of K.B.N.College, Vijayawada to return excess fee collected from the students.

2. The Correspondent of KBN College, Vijayawada filed an appeal against the Commissioner of Collegiate Education Proceedings vide reference 1st read above and the same was dismissed vide reference 3rd read above by Government. Consequential orders were issued by the Commissioner of Collegiate Education, Andhra Pradesh, Hyderabad, vide Proceedings No. 1218/Admn.III-1/2011, dt.15-07-2015. Aggrieved by the said orders, the Management of KBN College has filed W.P.No.33207/2015. The Hon'ble High Court, among others, has passed the following orders dt.08-10-2015:

"For the aforesaid reasons, the writ petition is partly allowed, setting aside the orders passed by the 1st respondent herein vide Memo No.14926/CE/A2/2012-5, dated:15-06-2015 and the matter is remanded to the 1st respondent herein for consideration afresh on merits after taking into consideration the material available on record and after giving notice and opportunity of being heard to the petitioner herein. This exercise shall be completed a period of six (6) weeks from the date of receipt of a copy of this order.

3. In compliance to the above orders, a Hearing was conducted by the Principal Secretary, Higher Education department on 08-02-2016 and the appeal filed by KBN College, Vijayawada was examined in detail. The Correspondent of the College has appealed that they cannot pay back the fees collected excess since the amounts were already expended for imparting instruction to the students and welfare of the Girl students.

Contd…

It was also assured that they will collect fee as prescribed by the University as per norms hereafter. The Audited statements for the last [5] years of the College were examined and it is found that the college spent major portion of its income towards salaries of both teaching and non teaching staff, the fact remains that the college has collected tuition fee over and above stipulated amount in violation of section 7 of A.P. Educational Institutions [Regulations of Admissions and Prohibition of Capitation fee] Act, 1983.

4. After careful examination of the matter and keeping the good academic background of the college in view, the Government hereby impose a penalty of Rs.10,000/- against the Management of KBN College, Vijayawada with a warning to be more careful in future.

5. The Commissioner of Collegiate Education, Andhra Pradesh, Hyderabad shall take further action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

SUMITA DAWRA
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Commissioner of Collegiate Education, Andhra Pradesh, Hyderabad,
The Secretary & Correspondent,
KBN College, Kothapeta, Vijayawada 520 001, Andhra Pradesh,
Copy to the Registrar, Lokayukta, Basheerbagh, Hyderabad.
Sc/sf.

//FORWARDED BY ORDER//

SECTION OFFICER.